

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Laurence Robert Otto,

Civil No. 04-3369 (RHK/RLE)

Plaintiff,

vs.

ORDER

Stuart Burgmann, Agent of the
Internal Revenue Service; and Dennis
L. Parizak, Agent of the Internal
Revenue Service,

Defendants.

Based upon the Report and Recommendation of United States Magistrate Judge Raymond L. Erickson, and after an independent review of the files, records and proceedings in the above-entitled matter, it is **ORDERED:**

That this action is dismissed for failure to comply with this Court's Order of August 26, 2005, for failure to effect proper service, and for lack of prosecution.

Dated: October 12, 2005

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge